

REMARKS

Claims 1-7, 9, 19 and 20 are presented for consideration, with Claims 1 and 20 being independent.

Claim 20 has been amended to further distinguish Applicants' invention from the cited art.

Initially, Applicants note with appreciation that Claims 1-7, 9 and 19 are allowed.

Claim 20 stands rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Griencewic '919. This rejection is respectfully traversed.

Claim 20 of Applicants' invention relates to a pan head apparatus comprised of a head unit for mounting a camera, a base unit having a stationary portion and rotary portion which, as amended, is placed over the stationary portion and rotated with respect to the stationary portion around a first axis, and a connecting member which pivotally connects the head unit and the rotary portion of the base unit around a second axis perpendicular to the first axis. As amended, the head unit has a laid down state in which the head unit and the base unit are placed side by side, and an upright state in which the head unit is perpendicular to the base unit. In addition, the head unit physically interferes with the stationary portion of the base unit and prohibits the rotary portion from rotating in the laid down state, and the head unit does not physically interfere with the base unit when the rotary portion rotates in the upright state.

Support for the amendments to Claim 20 can be found on page 7, line 15, *et seq.*, of the specification. In accordance with Applicants' invention, a relatively simple and effective pan head apparatus can be provided.

The Griencewic patent relates to an adjustably mounted camera assembly 26 that is carried on a top bezel member 48 (see Figure 2). The camera assembly includes a lens assembly 68 mounted within a housing 60. The housing includes a pair of telescoping members 80, 82 extendable from a support base 84 (see Figure 3). With reference to Figure 4, the support base can be rotated about its center along a first axis A, and the camera assembly itself can be pivotally adjusted about a second axis B, perpendicular to axis A.

In contrast to Applicants' claimed invention, however, Griencewic is not understood to teach or suggest, among other features, a base unit having a rotary portion which is placed over a stationary portion, and in which the head unit is pivotally connected to the rotary portion of the base unit to operate in a laid down state and in an upright state as set forth in Claim 20. In Griencewic, the so-called rotary portion (telescoping members 80, 82 and support base 84) is not placed over the so-called stationary portion (bezel member 48), and a relatively complicated structure is required for positioning the camera assembly.

Accordingly, reconsideration and withdrawal of the rejection of Claim 20 under 35 U.S.C. § 102(b) is deemed to be in order and such action is respectfully requested.

Thus, it is submitted that Applicants' invention as set forth in independent Claims 1 and 20 is patentable over the cited art. In addition, dependent Claims 2-7, 9 and 19 set

forth additional features of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

Due consideration and prompt passage to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

/Scott D. Malpede/

Scott D. Malpede
Attorney for Applicants
Registration No. 32,533

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

SDM/vmm

FCHS_WS 2125148v1